

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2442 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

=====

1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

KANCHANLAL AMBALAL TAMBODI

Versus

COMPETENT AUTHORITY AND ADDL COLLECTOR

Appearance:

MR SK BUKHARI for Petitioner
NOTICE SERVED for Respondent No. 1
MR IM PANDYA AGP for Respondent No. 2

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 04/10/2000

ORAL JUDGEMENT

Learned advocate Mr. S.K. Bukhari is appearing
for the petitioner. Learned AGP Mr. Pandya is appearing
for the respondent authorities. This petition was

admitted by this court by issuing rule thereon on 1.3.1994 and the status quo was ordered to be maintained by both the sides.

In this petition, the petitioner is challenging the orders dated 3.7.1992 (Annexure "E") as well as the orders dated 21.10.1987 (Annexure "B") passed by the respondent authorities.

Today, when this petition was taken up for final hearing, learned AGP Mr. IM Pandya has produced on record a letter issued by the competent authority and the Addl. Collector, Baroda dated 6.7.2000 wherein it is mentioned that in this matter, no proceedings have been initiated beyond section 34 of the ULC Act, 1976 and it has been specifically mentioned that the possession of the excess land in question has not been taken over by the State Government and it has been prayed in the said letter to pass appropriate orders considering the provisions of the ULC Repeal Act.

The Urban Land (Ceiling and Regulation)Act,1976 has been repealed by the Urban Land (Ceiling and Regulation) (Repeal) Act, 1999 as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March, 1999 passed under Article 252 (2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling and Regulation) Act,1976 in respect of the land in question as well as the present petition have abated.

The petition is accordingly disposed of as having abated. There shall be no order as to costs.

3.10.2000 (H.K. Rathod,J.)

Vyas